

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

NESTOR LEON,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-21-0122-HE
	)	
S.R. GRANT,	)	
	)	
Respondent.	)	

**ORDER**

Petitioner Nestor Leon, a federal prisoner, filed his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 alleging that a disciplinary conviction violated his constitutional rights when he lost good-time credits as well as visitation and commissary privileges. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) the matter was referred to Magistrate Judge Shon T. Erwin for initial proceedings. After reviewing the petition, Judge Erwin ordered the government to respond to the petition. Judge Erwin has now issued a Report and Recommendation recommending that the petition be denied.


The Report advised petitioner of his right to object to the Report by September 13, 2021. Petitioner has not objected to the Report, thereby waiving his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010)

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #17]. The petition is **DENIED**. The court also concludes that a certificate of appealability should not

issue because petitioner has failed to demonstrate “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

**IT IS SO ORDERED.**

Dated this 22<sup>nd</sup> day of September, 2021.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE